


5/16/16

1:55 P.M.

Chapter No. 507
16/HR26/R215SG
NA/CST

HOUSE BILL NO. 130

Originated in House  Clerk

HOUSE BILL NO. 130

AN ACT TO AMEND SECTION 21-3-3, MISSISSIPPI CODE OF 1972, TO REMOVE THE CITY OR TOWN CLERK AS AN ELECTIVE OFFICER IN MUNICIPALITIES OPERATING UNDER A CODE CHARTER AND TO PROVIDE THAT SUCH OFFICER SHALL BE APPOINTED BY THE GOVERNING AUTHORITIES OF THE MUNICIPALITIES; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 21-3-3, Mississippi Code of 1972, is amended as follows:

21-3-3. The elective officers of all municipalities operating under a code charter shall be the mayor, the aldermen, municipal judge, the marshal or chief of police, the tax collector * * * and the tax assessor * * * . From and after July 1, 2017, the governing authorities of the municipality shall appoint a city or town clerk who shall likewise serve as an officer of the municipality. However, the governing authorities of the municipality shall have the power, by ordinance, to combine the office of clerk or marshal with the office of tax collector and/or tax assessor. Such governing authorities shall have the further power to provide that all or any of such officers, except

those of mayor and aldermen, shall be appointive, in which case the marshal or chief of police, the tax collector, the tax assessor, and the city or town clerk, or such of such officers as may be made appointive, shall be appointed by the * * * such governing authorities. Any action taken by the governing authorities to make any of such offices appointive shall be by ordinance of such municipality, and no such ordinance shall be adopted within ninety (90) days prior to any regular general election for the election of municipal officers. No such ordinance shall become effective during the term of office of any officer whose office shall be affected thereby. If any such office is made appointive, the person appointed thereto shall hold office at the pleasure of the governing authorities and may be discharged by such governing authorities at any time, either with or without cause, and it shall be discretionary with the governing authorities whether or not to require such person appointed thereto to reside within the corporate limits of the municipality in order to hold such office.

SECTION 2. This act shall take effect and be in force from
and after July 1, 2017.

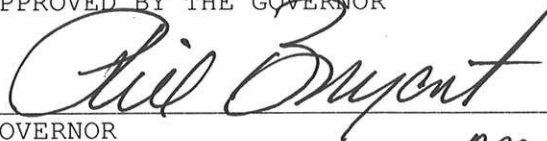
PASSED BY THE HOUSE OF REPRESENTATIVES
April 18, 2016


SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
April 19, 2016


PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR


GOVERNOR

May 16, 2016
1:55 pm